

AN ORDINANCE approving CONTRACT 91-WP-01, DISPOSAL OF FILTRATION LIME between BOCKEY'S AGLIME and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety.

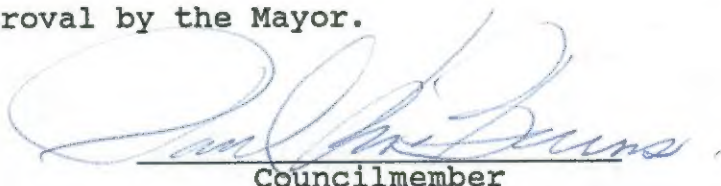
NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the CONTRACT 91-WP-01, DISPOSAL OF FILTRATION LIME by and between BOCKEY'S AGLIME and the City of Fort Wayne, Indiana, in connection with the Board of Public Works and Safety, for:

disposal of filtration lime;

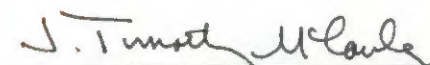
the Contract price is Two Hundred Ninety-Seven Thousand and no/100 Dollars (\$297,000.00), all as more particularly set forth in said Contract, which is on file in the Office of the Board of Public Works and Safety and, is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved. Two (2) copies of said Contract are on file with the Office of the City Clerk and made available for public inspection, according to law.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

THIS CONTRACT made by and between the City of Fort Wayne, by and through its Board of Public Works and Safety (hereinafter referred to as "City"), and Bockey's AgLime (hereinafter referred to as "Contractor").

WHEREAS, the City has advertised for bids on the disposal of spent filtration lime from the sludge drying lagoons, located at 5510 Lake Avenue, Fort Wayne, Indiana; and

WHEREAS, the parties desire to enter into a non-exclusive contract with regard to said lime sludge for the year 1991, and

WHEREAS, the parties have reached certain understandings and agreements with regard to said supply, loading, hauling and spreading, the parties now agree as follows:

1. The bid specifications prepared by City and on file in the office of the Board of Public Works and Safety, Room 920, 9th Floor, City/County Building, One Main Street, Fort Wayne, Indiana, are attached hereto as Exhibit "A" and incorporated in this agreement.

2. The attached Exhibit "A" shall constitute the specific terms of the contract between the parties unless indicated to the contrary herein.

3. Contract Specification G.6.b is amended to read that should Contractor fail to haul and apply 60,000 dry tons of filtration lime as agreed within 731 days of awarding the contract (or by any other date mutually agreed to in writing) the Contractor shall be liable to the City for liquidated damages of \$100.00/day for each and every day after 731 days after award of the contract.

4. All references in the attached Exhibit "A" to "bidder" shall be construed as a reference to Contractor.

5. Upon periodic written request from City, Contractor shall provide City with a written report verifying the rates and uniformity of sludge application.

6. Results of all soil tests conducted by or for Contractor must contain the lime application rate and C.E.C. value.

7. All other terms and conditions of the bid specifications attached hereto shall remain in full force and effect and shall act as terms of the agreement between the parties hereto.

8. This contract shall be governed by the laws of the State of Indiana.

9. This writing contains the entire agreement between the parties, and said agreement shall not be modified except in writing signed by all parties hereto.

Dated this 5 day of March, 1991.

CONTRACTOR
BOCKEY'S AGLIME

CITY OF FORT WAYNE
BOARD OF PUBLIC WORKS AND SAFETY

Steven E. Bockey

[Signature]
Member

[Signature]
Member

[Signature]
Member

1991-92 LIME CONTRACT TABULATION

The following is a tabulation of the lime contract between the City and Bockey's Ag Lime for 1991-92.

CONTRACTOR	\$ BID	AMOUNT	TOTAL COST	TOTAL BUDGETED	REMAINING BUDGETED
Bockey's	4.95/ton	60,000 ton	\$297,000	\$900,000	\$603,000

Stacey Petrovas
 Stacey Petrovas, Agronomist
 Water Pollution Control Plant

LIME BIDS

<u>BIDDER</u>	<u>BASE BID</u>	<u>ALTERNATIVE</u>	<u>EXTRA</u>	<u>OPTIONAL BID</u>	<u>OPTIONAL/ALTERNATE</u>	<u>OPTIONAL/EXTRA</u>
Bockey's AgLime	\$7.58/ton	\$5.95/ton	15,000 ton	\$6.58/ton	\$4.95/ton	30,000 tons
Pro Lime	\$8.98/ton	None	to be determined (see Attach A)	\$7.98/ton	None	See Attach A
Rite Cal Co.	\$14.88/ton	\$8.23/ton	None	None	\$8.23/ton	None
Envirogro Tech	No bid	No bid	No bid	No bid	No bid	No bid
Great Lakes Enviroland	No bid	No bid	No bid	No bid	No bid	No bid
BioGro Systems	No bid	No bid	No bid	No bid	No bid	No bid
Metropolitan Env'l.	No bid	No bid	No bid	No bid	No bid	No bid

Read the first time in full and on motion by Burns
seconded by Quadd, and duly adopted, read the second time
title and referred to the Committee on City Matters (and the
City Plan Commission for recommendation) and Public Hearing to be held aft
due legal notice, at the Council Conference Room 128, City-County Building
Fort Wayne, Indiana, on _____, the _____
of _____, 19____, at _____ o'clock _____ M., E.S.

DATED: 3-26-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Burns
seconded by Quadd, and duly adopted, placed on its
passage. PASSED lost by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>			
BRADBURY	<u>✓</u>			<u>✓</u>
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GIAQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
REDD				
SCHMIDT	<u>✓</u>			<u>✓</u>
TALARICO	<u>✓</u>			

DATED: 4-9-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 4-97-91
on the 9th day of April, 1991,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico SEAL
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 10th day of April, 1991
at the hour of 1:30 o'clock _____ M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 11th day of April
1991, at the hour of 10:15 o'clock _____ M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

Admn. Appr.

TITLE OF ORDINANCE: Contract 91-WP-01, Disposal of Filtration Lime
DEPARTMENT REQUESTING ORDINANCE: Board of Public Works & Safety
SYNOPSIS OF ORDINANCE: Contract 91-WP-01, Disposal of Filtration Lime
EFFECT OF PASSAGE: Disposal of Filtration Lime. Bockey's AgLime is the contractor.

EFFECT OF NON PASSAGE:

D-91-03-43

MONEY INVOLVED (DIRECT COSTS, EXPENDITURE, SAVINGS) \$297,000.

ASSIGNED TO COMMITTEE:

BILL NO. S-91-03-43

REPORT OF THE COMMITTEE ON CITY UTILITIES

PAUL M. BURNS, CHAIRMAN
CHARLES B. REDD, VICE CHAIRMAN
EDMONDS, LONG, SCHMIDT

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) approving CONTRACT 91-WP-01,
DISPOSAL OF FILTRATION LIME between BOCKEY'S AGLIME and the City
of Fort Wayne, Indiana, in connection with the Board of Public
Works and Safety

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Handwritten signatures in blue ink: Paul M. Burns, Charles B. Redd, and C. R. Edmonds]

DATED: 4-9-91.

Sandra E. Kennedy
City Clerk